

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 18-16194-mdc
Vance Evans	: Chapter 13
Debtor	:
	:
v.	:
	:
MTGLQ Investors, LP c/o Rushmore Loan	:
Management Services	:
Respondent	:

**RESPONSE TO DEBTOR’S OBJECTION TO PROOF OF CLAIM #1**  
**AND RUSHMORE LOAN MANAGEMENT SERVICES**  
**MORTGAGE PAYMENT CHANGE**

Respondent, MTGLQ Investors, LP c/o Rushmore Loan Management Services (“Respondent”), by its attorneys, Hladik, Onorato & Federman, LLP, hereby responds to the Objection of Debtor, Vance Evans (“Debtor”) to Its Proof of Claim #1 and Mortgage Payment Change, as follows:

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. It is admitted that in Part 2 of the 410A form, the amount listed for “Escrow Deficiency for Funds Advanced” is \$9,084.78 and it is admitted that \$1,118.22 is listed as “Other.” It is denied that these two amounts were not explained, as both amounts are detailed in the Loan History included on the 410A attachment. It is further denied that the only amount which can be included in Part 2 is \$82,631.01. Movant avers that the amounts listed in Part 2 of the 410A are accurate, detailed as required and, as such, should be allowed.
4. Admitted in part and denied in part. It is admitted that in Part 3 of the 410A form, the amount of \$9,084.78 is listed for “Escrow Deficiency for Funds Advanced” and the amount of \$1,341.37 is listed as “Projected Escrow Shortage.” It is denied that these two amounts were not explained. The “Escrow Deficiency for Funds Advanced” amount is detailed in the Loan History included on the 410A attachment. By further reply, the “Projected Escrow Shortage” is detailed on the Escrow analysis attached to the Proof of Claim (Claim #1, Part 2 – page 36 of 37). It is further denied that the only amounts which can be included in Part 3 are two (2) missed payments as alleged in the Objection. Movant avers that the amounts listed in Part 3 of the 410A are accurate, detailed as required and, as such, should be allowed.

5. Denied. Respondent is without information sufficient to admit or deny the allegations in this paragraph, and accordingly denies same with strict proof thereof required at the hearing in this matter. By way of further reply, Movant's system currently lists the post-petition payment amount as \$1,099.87, which is the same amount listed as the post-petition payment amount on Movant's filed Proof of Claim #1.
6. Denied. The allegations of paragraph 6 constitute conclusions of law to which no response is required.
7. Denied. Respondent is without information sufficient to admit or deny the allegations in this paragraph, and accordingly denies same with strict proof thereof required at the hearing in this matter.
8. Denied. The allegations of paragraph 8 constitute conclusions of law to which no response is required.
9. Denied. Respondent is without information sufficient to admit or deny the allegations in this paragraph, and accordingly denies same with strict proof thereof required at the hearing in this matter.
10. Denied. Respondent is without information sufficient to admit or deny the allegations in this paragraph, and accordingly denies same with strict proof thereof required at the hearing in this matter.
11. Denied. Respondent is without information sufficient to admit or deny the allegations in this paragraph, and accordingly denies same with strict proof thereof required at the hearing in this matter.

WHEREFORE, Respondent, MTGLQ Investors, LP c/o Rushmore Loan Management Services, respectfully requests that this Honorable Court enter an Order Overruling Debtor's Objection to its Proof of Claim #1 and Mortgage Payment Change.

/s/Danielle Boyle-Ebersole, Esquire  
Danielle Boyle-Ebersole, Esquire  
Hladik, Onorato & Federman, LLP  
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**CERTIFICATE OF SERVICE**

I, Danielle Boyle-Ebersole, Esquire, hereby certify that on 11/19/2019, I have served a copy of this RESPONSE TO DEBTOR'S OBJECTION TO PROOF OF CLAIM #1 AND MORTGAGE PAYMENT CHANGE to the following by U.S. Mail, postage pre paid and/or via filing with the US Bankruptcy Court's CM ECF system:

Roger V. Ashodian, Esquire  
Via ECF  
*Attorney for Debtor*

William C. Miller, Esquire  
Via ECF  
*Trustee*

Vance Evans  
15 Baily Road  
Yeadon, PA 19050  
Via First Class Mail  
*Debtor*

/s/Danielle Boyle-Ebersole, Esquire  
Danielle Boyle-Ebersole, Esquire  
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